

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

**IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION**

Civil Action No. 3:16-md-2738-FLW-LHG

MDL No. 2738

This Document Relates to All Cases Filed
Against Defendant Personal Care Products
Council

CERTIFICATION OF MICHELLE A. PARFITT, ESQ.

Michelle A. Parfitt, Esq., hereby certifies as follows:

1. I am an attorney at law and member of the law firm of Ashcraft & Gerel, LLP. I was appointed as Co-Lead Counsel to represent all Plaintiffs in the above-captioned matter.
2. I submit this Certification based on personal knowledge in support of the Plaintiffs' Steering Committee's Opposition to Defendant Personal Care Product Council's Motion for Summary Judgment.
3. Attached hereto as Exhibit 1 is a true and correct copy of Bates Number CPC-POLAKOWTRSCPT00000266. (*filed under seal*)
4. Attached hereto as Exhibit 2 is a true and correct copy of Bates Number JNJ000254100. (*filed under seal*)
5. Attached hereto as Exhibit 3 is a true and correct copy of Bates Number CPC-POLAKOWTRSCPT00000326. (*filed under seal*)
6. Attached hereto as Exhibit 4 is a true and correct copy of Bates Number WCD000081. (*filed under seal*)

7. Attached hereto as Exhibit 5 is a true and correct copy of Bates Number WCD000200. *(filed under seal)*

8. Attached hereto as Exhibit 6 is a true and correct copy of Bates Number JNJ000307294. *(filed under seal)*

9. Attached hereto as Exhibit 7 is a true and correct copy of Bates Number JNJ000089586. *(filed under seal)*

10. Attached hereto as Exhibit 8 is a true and correct copy of Bates Number JNJ000029681. *(filed under seal)*

11. Attached hereto as Exhibit 9 is a true and correct copy of Bates Number JNJ000036430. *(filed under seal)*

12. Attached hereto as Exhibit 10 is a true and correct copy of Bates Number JNJ000036440. *(filed under seal)*

13. Attached hereto as Exhibit 11 is a true and correct copy of Bates Number JNJ000058415. *(filed under seal)*

14. Attached hereto as Exhibit 12 is a true and correct copy of Bates Number PCPC0080419. *(filed under seal)*

15. Attached hereto as Exhibit 13 is a true and correct copy of Bates Number JNJ000011704.

16. Attached hereto as Exhibit 14 is a true and correct copy of Bates Number JNJ000022756. *(filed under seal)*

17. Attached hereto as Exhibit 15 is a true and correct copy of Bates Number JNJ000023178. *(filed under seal)*

18. Attached hereto as Exhibit 16 is a true and correct copy of Bates Number PCPC0075236. *(filed under seal)*

19. Attached hereto as Exhibit 17 is a true and correct copy of Bates Number PCPC0080396. *(filed under seal)*

20. Attached hereto as Exhibit 18 is a true and correct copy of Bates Number PCPC_MDL00028357. *(filed under seal)*

21. Attached hereto as Exhibit 19 is a true and correct copy of Bates Number IMERYYS240345. *(filed under seal)*

22. Attached hereto as Exhibit 20 is a true and correct copy of Bates Number IMERYYS239856. *(filed under seal)*

23. Attached hereto as Exhibit 21 is a true and correct copy of Bates Number JNJ000001864. *(filed under seal)*

24. Attached hereto as Exhibit 22 is a true and correct copy of Bates Number IMERYYS288396. *(filed under seal)*

25. Attached hereto as Exhibit 23 is a true and correct copy of Bates Number IMERYYS288390. *(filed under seal)*

26. Attached hereto as Exhibit 24 is a true and correct copy of Bates Number PCPC_MDL00029273. *(filed under seal)*

27. Attached hereto as Exhibit 25 is a true and correct copy of Bates Number PCPC_MDL00027958. *(filed under seal)*

28. Attached hereto as Exhibit 26 is a true and correct copy of Exhibit 3 to the Deposition of Mark Pollak taken on Aug. 29, 2018.

29. Attached hereto as Exhibit 27 is a true and correct copy of Bates Number PCPC_MDL00026142. *(filed under seal)*

30. Attached hereto as Exhibit 28 is a true and correct copy of Bates Number PCPC_MDL00028481. *(filed under seal)*

31. Attached hereto as Exhibit 29 is a true and correct copy of Bates Number PCPC_MDL00028665. *(filed under seal)*

32. Attached hereto as Exhibit 30 is a true and correct copy of Bates Number PCPC_MDL00020804. *(filed under seal)*

33. Attached hereto as Exhibit 31 is a true and correct copy of Bates Number PCPC_MDL00028677. *(filed under seal)*

34. Attached hereto as Exhibit 32 is a true and correct copy of Bates Number IMERYYS095244. *(filed under seal)*

35. Attached hereto as Exhibit 33 is a true and correct copy of Bates Number JNJ000016566. *(filed under seal)*

36. Attached hereto as Exhibit 34 is a true and correct copy of Bates Number PCPC0035731. *(filed under seal)*

37. Attached hereto as Exhibit 35 is a true and correct copy of Bates Number IMERYYS178944.

38. Attached hereto as Exhibit 36 is a true and correct copy of NTP Summary Minutes, Dec. 13-15, 2000.

39. Attached hereto as Exhibit 37 is a true and correct copy of Bates Number JNJ000373701. *(filed under seal)*

40. Attached hereto as Exhibit 38 is a true and correct copy of Bates Number CPC-NYCALTRSCPT00009958. *(filed under seal)*

41. Attached hereto as Exhibit 39 is a true and correct copy of Bates Number PCPC_MDL00010215. *(filed under seal)*

42. Attached hereto as Exhibit 40 is a true and correct copy of Bates Number JNJ000388775. *(filed under seal)*

43. Attached hereto as Exhibit 41 is a true and correct copy of Bates Number PCPC0035754. *(filed under seal)*

44. Attached hereto as Exhibit 42 is a true and correct copy of Bates Number Weinberg Group 0004-0006. *(filed under seal)*

45. Attached hereto as Exhibit 43 is a true and correct copy of an excerpt of Deposition of Linda Loretz taken on Jul. 18, 2018 at 112:6-114:7.

46. Attached hereto as Exhibit 44 is a true and correct copy of Bates Number JNJ000564167. *(filed under seal)*

47. Attached hereto as Exhibit 45 is a true and correct copy of Bates Number JNJ000013664. *(filed under seal)*

48. Attached hereto as Exhibit 46 is a true and correct copy of Bates Number PCPC0077968. *(filed under seal)*

49. Attached hereto as Exhibit 47 is a true and correct copy of Bates Number PCPC_MDL00010631. *(filed under seal)*

50. Attached hereto as Exhibit 48 is a true and correct copy of an excerpt of Deposition of Mark Pollak taken on Feb. 18, 2016 at 16:24-17:9.

51. Attached hereto as Exhibit 49 is a true and correct copy of an excerpt of Deposition of Linda Loretz taken on Jan. 8, 2016 at 40:13-15.

52. Attached hereto as Exhibit 50 is a true and correct copy of an excerpt of Deposition of Linda Loretz taken on Oct. 2, 2018 at 834:20-835:2.

53. Attached hereto as Exhibit 51 is a true and correct copy of Bates Number PCPC_MDL00015232. *(filed under seal)*

54. Attached hereto as Exhibit 52 is a true and correct copy of the 2003 Annual Report for PCPC.

55. Attached hereto as Exhibit 53 is a true and correct copy of Bates Number IMERY53619465. *(filed under seal)*

56. Attached hereto as Exhibit 54 is a true and correct copy of Bates Number IMERY5329339. *(filed under seal)*

57. Attached hereto as Exhibit 55 is a true and correct copy of Bates Number JNJ000384773. *(filed under seal)*

58. Attached hereto as Exhibit 56 is a true and correct copy of Bates Number IMERY5280641. *(filed under seal)*

59. Attached hereto as Exhibit 57 is a true and correct copy of Bates Number MDL_KELLY00017302.

60. Attached hereto as Exhibit 58 is a true and correct copy of the Cosmetic Ingredient Review Expert Panel from December 10-11, 2012.

61. Attached hereto as Exhibit 59 is a true and correct copy of Bates Number MBS-CRE000191.

62. Attached hereto as Exhibit 60 is a true and correct copy of Bates Number IMERY5226115. *(filed under seal)*

63. Attached hereto as Exhibit 61 is a true and correct copy of Bates Number IMERY5065205. *(filed under seal)*

64. Attached hereto as Exhibit 62 is a true and correct copy of Bates Number PCPC0011431. *(filed under seal)*

65. Attached hereto as Exhibit 63 is a true and correct copy of Bates Number PCPC0011582. *(filed under seal)*

66. Attached hereto as Exhibit 64 is a true and correct copy of Bates Number PCPC0011835. *(filed under seal)*

67. Attached hereto as Exhibit 65 is a true and correct copy of Bates Number JNJ000490528.

68. Attached hereto as Exhibit 66 is a true and correct copy of Bates Number IMERY5149314. *(filed under seal)*

69. Attached hereto as Exhibit 67 is a true and correct copy of Bates Number MVS-CRE000031.

70. Attached hereto as Exhibit 68 is a true and correct copy of Bates Number MBS-CRE0002171-272 - Kelly email, April 15, 2013.

71. Attached hereto as Exhibit 69 is a true and correct copy of Bates Number PCPC_MDL00031603. *(filed under seal)*

72. Attached hereto as Exhibit 70 is a true and correct copy of Bates Number PCPC0052415. *(filed under seal)*

73. Attached hereto as Exhibit 71 is a true and correct copy of Exhibit 10 to the Deposition of Linda Loretz taken on Jul. 18, 2018. (*filed under seal*)

74. Attached hereto as Exhibit 72 is a true and correct copy of the Declaration of Mark Pollak, filed in *Simpson v. Johnson & Johnson, et al.*

75. Attached hereto as Exhibit 73 is a true and correct copy of:
<http://www.personalcarecouncil.org/member-benefits>.

76. Attached hereto as Exhibit 74 is a true and correct copy of:
<http://www.personalcarecouncil.org/legislation-regulation/legislative-advocacy>.

77. Attached hereto as Exhibit 75 is a true and correct copy of an excerpt of Deposition of Mark Pollak taken on Aug. 29, 2018 at 105:15-106:1.

78. Attached hereto as Exhibit 76 is a true and correct copy of the PCPC's Form 990 (2014).

79. Attached hereto as Exhibit 77 is a true and correct copy of the Declaration of Mark Pollak, filed in *Linda Nard v. Johnson & Johnson, et al.*

80. Attached hereto as Exhibit 78 is a true and correct copy of the DC Council, Committee on Public Safety & the Judiciary, Report on Bill 18-893, Nov. 18, 2010.

81. Attached hereto as Exhibit 79 is a true and correct copy of the Testimony of Arthur Spitzer, ACLU submitted to Committee on Public Safety & the Judiciary, Sept. 17, 2010.

82. Attached hereto as Exhibit 80 is a true and correct copy of Hearing Transcript on Jan. 13, 2017 in *Simpson v. Johnson & Johnson, et al.* at 39:19-24, 43:7-9.

83. Attached hereto as Exhibit 81 is a true and correct copy of Bates Number PCPC_MDL00007402. (*filed under seal*)

84. Attached hereto as Exhibit 82 is a true and correct copy of:

<https://www.cosmeticsdesign.com/Article/2020/30/10/The-PCPC-s-focus-on-science-safety-and-sustainability>.

85. Attached hereto as Exhibit 83 is a true and correct copy of Bates Number JNJ000281901.

86. Attached hereto as Exhibit 84 is a true and correct copy of Bates Number IMERYYS137726.

87. Attached hereto as Exhibit 85 is a true and correct copy of Bates Number JNJ000218562. (*filed under seal*)

88. Attached hereto as Exhibit 86 is a true and correct copy of Bates Number PCPC0073585. (*filed under seal*)

89. Attached hereto as Exhibit 87 is a true and correct copy of Bates Number PCPC0075387. (*filed under seal*)

90. Attached hereto as Exhibit 88 is a true and correct copy of Bates Number JNJ000021286. (*filed under seal*)

91. Attached hereto as Exhibit 89 is a true and correct copy of Bates Number IMERYYS210870. (*filed under seal*)

92. Attached hereto as Exhibit 90 is a true and correct copy of Bates Number JNJ000053072.

93. Attached hereto as Exhibit 91 is a true and correct copy of Bates Number PCPC0066819.

94. Attached hereto as Exhibit 92 is a true and correct copy of Bates Number JNJ000016158.

95. Attached hereto as Exhibit 93 is a true and correct copy of Bates Number IMERY5-A_0011817.

96. Attached hereto as Exhibit 94 is a true and correct copy of Bates Number PCPC_MDL00010250. *(filed under seal)*

97. Attached hereto as Exhibit 95 is a true and correct copy of Bates Number PCPC_MDL00015287. *(filed under seal)*

98. Attached hereto as Exhibit 96 is a true and correct copy of Bates Number PCPC_MDL00030856. *(filed under seal)*

99. Attached hereto as Exhibit 97 is a true and correct copy of Bates Number PCPC_MDL00044793. *(filed under seal)*

100. Attached hereto as Exhibit 98 is a true and correct copy of Bates Number JNJ000031001. *(filed under seal)*

101. Attached hereto as Exhibit 99 is a true and correct copy of Bates Number JNJ000011933.

102. Attached hereto as Exhibit 100 is a true and correct copy of Bates Number PCPC0066630. *(filed under seal)*

103. Attached hereto as Exhibit 101 is a true and correct copy of Bates Number PCPC0072893. *(filed under seal)*

104. Attached hereto as Exhibit 102 is a true and correct copy of Bates Number PCPC_MDL00103539. *(filed under seal)*

105. Attached hereto as Exhibit 103 is a true and correct copy of Bates Number PCPC_MDL00023425. *(filed under seal)*

106. Attached hereto as Exhibit 104 is a true and correct copy of Bates Number PCPC_MDL00092069.

107. Attached hereto as Exhibit 105 is a true and correct copy of Bates Number PCPC_MDL00020026. *(filed under seal)*

108. Attached hereto as Exhibit 106 is a true and correct copy of Bates Number PCPC_MDL00022149. *(filed under seal)*

109. Attached hereto as Exhibit 107 is a true and correct copy of Wehner et al., *Do Particles Translocate From the Vagina to the Oviducts and Beyond?* 23 *Fd. Chem. Toxic.* 367 (1985).

110. Attached hereto as Exhibit 108 is a true and correct copy of Wehner et al., *On Talc Translocation From the Vagina to the Oviducts and Beyond*, 24 *Fd. Chem. Toxic.* 329 (1986).

111. Attached hereto as Exhibit 109 is a true and correct copy of Bates Number PCPC_MDL00015494. *(filed under seal)*

112. Attached hereto as Exhibit 110 is a true and correct copy of Bates Number PCPC0061912. *(filed under seal)*

113. Attached hereto as Exhibit 111 is a true and correct copy of Bates Number PCPC0027850. *(filed under seal)*

114. Attached hereto as Exhibit 112 is a true and correct copy of Bates Number IMERY5125259. *(filed under seal)*

115. Attached hereto as Exhibit 113 is a true and correct copy of Bates Number PCPC0072694. *(filed under seal)*

116. Attached hereto as Exhibit 114 is a true and correct copy of Bates Number JNJTALC000071142. *(filed under seal)*

117. Attached hereto as Exhibit 115 is a true and correct copy of Bates Number PCPC_MDL00031934. *(filed under seal)*

118. Attached hereto as Exhibit 116 is a true and correct copy of Bates Number JNJ000001403. *(filed under seal)*

119. Attached hereto as Exhibit 117 is a true and correct copy of Bates Number JNJ000046271. *(filed under seal)*

120. Attached hereto as Exhibit 118 is a true and correct copy of Bates Number PCPC0075364. *(filed under seal)*

121. Attached hereto as Exhibit 119 is a true and correct copy of Bates Number JNJ000240311.

122. Attached hereto as Exhibit 120 is a true and correct copy of Bates Number IMERY5288570. *(filed under seal)*

123. Attached hereto as Exhibit 121 is a true and correct copy of Bates Number PCPC_MDL00032703. *(filed under seal)*

124. Attached hereto as Exhibit 122 is a true and correct copy of Bates Number PCPC_MDL00145227. *(filed under seal)*

125. Attached hereto as Exhibit 123 is a true and correct copy of Bates Number JNJ000023733. *(filed under seal)*

126. Attached hereto as Exhibit 124 is a true and correct copy of Bates Number JNJ000404511. *(filed under seal)*

127. Attached hereto as Exhibit 125 is a true and correct copy of Bates Number PCPC0082507. *(filed under seal)*

128. Attached hereto as Exhibit 126 is a true and correct copy of Bates Number JNJ000240488. *(filed under seal)*

129. Attached hereto as Exhibit 127 is a true and correct copy of Bates Number PCPC_MDL00031778. *(filed under seal)*

130. Attached hereto as Exhibit 128 is a true and correct copy of Bates Number PCPC_MDL00031693. *(filed under seal)*

131. Attached hereto as Exhibit 129 is a true and correct copy of Bates Number PCPC_MDL00010473. *(filed under seal)*

132. Attached hereto as Exhibit 130 is a true and correct copy of Bates Number PCPC_MDL00007847. *(filed under seal)*

133. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I may be subject to punishment.

Dated: June 8, 2020

/s/ Michelle A. Parfitt
Michelle A. Parfitt